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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ralph SCHWEINFURTH et al.

Serial No.: 09/743,758

Filed: January 16, 2001

For: COLORATION WITH PEARLY LUSTER PIGMENTS IN THE FOOD AND  
PHARMACEUTICAL SECTORS

: ATTN: PATENT PUBLICATIONS

: Examiner: Nina Bhat

: Group Art Unit: 1761

: Allowed: May 10, 2004

**REQUEST FOR WITHDRAWAL OF NOTICE OF FEE DUE AND RENEWED**

**REQUEST FOR COMPLETE NOTICE OF ALLOWANCE**

MAIL STOP ISSUE FEE

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

Sir:

In reply to the Notice of Allowance mailed May 10, 2004 in the above-identified application,

- (1) a Request for Complete Notice of Allowance was filed on June 25, 2004 requesting a complete examiner-initialed form 1449 be returned to applicants, and
- (2) an Issue Fee of \$1330.00 was paid on August 10, 2004 by
- (3) Check No. 32078.

(See copies of correspondingly numbered documents, attached.)

On August 10, 2004 a new Office Action withdrawing allowance was mailed, which Office Action crossed with applicants' issue fee payment. An Amendment and Reply to the Office Action was filed on November 10, 2004, and a new Notice of Allowance was mailed on November 30, 2004 which did not reflect the already-paid issue fee of \$1330.00 on August 10, 2004.

On February 28, 2005, applicants' filed the balance of the issue fee payment of \$70.00 (for a total of the current \$1400.00 issue fee) by Check No. 33897 and a copy of applicants' Request for Complete Notice of Allowance and Form 1449 filed June 25, 2004.

Applicant subsequently received

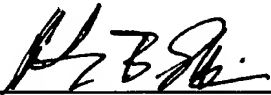
- (4) a Notice of Fee Due dated March 1, 2005 reflecting the payment of \$70.00, but indicating that a fee of \$1330.00 was outstanding, along with

- (5) a copy of the fee transmittal submitted February 28, 2005 clearly indicating that a \$1330.000 fee had been paid on 8/10/04 and
- (6) the copy of applicants' Request for Complete Notice of Allowance with Form 1449 still not completely initialed by the examiner.

(See copies of correspondingly numbered documents attached.)

Applicants respectfully request that the Notice of Fee Due be withdrawn in writing and that a fully examiner-initialed copy of Form PTO-1449 be returned to applicants.

Respectfully submitted,



Harry B. Shubin (Reg. No. 32,004)

Attorney for Applicants

**MILLEN, WHITE, ZELANO & BRANIGAN, P.C.**

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Internet address: shubin@mwzb.com

HBS:ack

Filed: April 21, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: : ATTN: PATENT PUBLICATIONS  
Ralf SCHWEINFURTH et al. : Examiner: Nina Bhat  
Serial No.: 09/743,758 : Group Art Unit: 1761  
Filed: January 16, 2001 : Allowed: May 10, 2004  
For: COLORATION WITH PEARLY LUSTER PIGMENTS IN THE FOOD AND  
PHARMACEUTICAL SECTORS

**REQUEST FOR COMPLETE NOTICE OF ALLOWANCE**

MAIL STOP ISSUE FEE  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

Sir:

Attached is a copy of Applicants' Form PTO-1449 filed with applicants' Information Disclosure Statement of 16 April 2001 and returned with the Office Action of April 21, 2003. It is noted, however, that Reference AU has not been initialed by the examiner indicating the reference cited therein was considered during the prosecution of the above-identified application. It is respectfully requested that an fully examiner-initialed copy of Form PTO-1449 be returned to applicants.

Respectfully submitted,

Harry B. Shubin (Reg. No. 32,004)  
Attorney for Applicants  
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
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Fax: (703) 243-6410  
Internet address: shubin@mwzb.com

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Filed: June 25, 2004  
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Form PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DKT. NO.  
Merck 2192

SERIAL NO.  
09/743,758

APPLICANT  
SCHWEINFURTH, Ralf, et al.

FILING DATE  
16 Jan. 2001

GROUP  
1761

INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
N3	AA	3658552	4/25/1972	Carlson et al.		
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
N3	AM	4215367	11/11/1993	DE			
	AN	9743346	11/20/1997	WO W.P.O.			
	AO	93 00878	1/21/1993	WO W.P.O.			
N3	AP	2257433	1/13/1993	GB			
	AQ						
	AR						
	AS						
	AT						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AU	Derwent WPI & JP 07223816 (8/22/1995)
AV	
AW	
AX	
AY	
AZ	
Examiner N3/Blat	Date Considered 4/10/03